

AMENDED IN SENATE SEPTEMBER 2, 2003

AMENDED IN SENATE JUNE 23, 2003

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1512

Introduced by Assembly Member Cohn

February 21, 2003

An act to amend and renumber Section 8820 of, and to add Chapter 5.1 (commencing with Section 8820) to Part 6 of, and to repeal Chapter 5 (commencing with Section 8810) of Part 6 of, the Education Code, and to add an article heading to Chapter 9 of Division 1 of Title 2 immediately preceding Section 8750 of, to add Article 3 (commencing with Section 8758.10), Article 4 (commencing with Section 8758.50), and Article 5 (commencing with Section 8758.70) to, and to add and repeal Article 2 (commencing with Section 8757.10) of, Chapter 9 of Division 1 of Title 2 of, the Government Code, relating to arts education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1512, as amended, Cohn. Arts education.

(1) Existing law establishes the Arts Council and sets forth the duties of the council in promoting the arts in the state.

This bill would establish several programs to be administered by the Arts Council, including the Demonstration Sites Program, the

~~Exemplary Arts Education Program, and the Arts Partnership in Education Program.~~

~~(2) Existing~~

~~Existing law, to be repealed on January 1, 2008, establishes the Local Arts Education Partnership Program to provide grants to local arts agencies, including school districts, to develop a locally based approach to the improvement of arts education in the public schools. Existing law provides that the program shall be funded from the sale of certain vehicle license plates.~~

~~This bill would revise and recast those provisions.~~

~~The~~

~~This bill would establish the Arts Work Visual and Performing Arts Education Program, to be administered by the State Department of Education, for the purposes of awarding grants to local educational agencies to develop their capacity to implement high-quality, instructional programs based on the state adopted visual and performing arts content standards for pupils in kindergarten and grades 1 to 12, inclusive. The bill would require the Superintendent of Public Instruction to select a panel of experts that would evaluate the project proposals and select grant recipients based on specified criteria.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. The Legislature finds and declares all of the~~
- 2 ~~following:~~
- 3 ~~(a) The arts are a necessary and required component of the~~
- 4 ~~curriculum in the California public school system.~~
- 5 ~~(b) Evaluation has shown that the arts are not only a valuable~~
- 6 ~~subject matter content in themselves, but they may also contribute~~
- 7 ~~to learning in other subject areas.~~
- 8 ~~(c) The arts have been successfully used to improve pupil~~
- 9 ~~behavior, self concept, respect for other pupils, attendance, and~~
- 10 ~~many other behaviors that contribute greatly to the total education~~
- 11 ~~of our youth.~~
- 12 ~~(d) The arts have not been rigorously evaluated because they~~
- 13 ~~are not part of annual statewide tests.~~
- 14 ~~(e) Best program practices have not been developed for the arts.~~

1 ~~(f) The Arts Council, by utilizing artists and arts organizations,~~
2 ~~and the State Department of Education, by using classroom~~
3 ~~teachers and subject matter specialists, should make available~~
4 ~~additional statewide resources to assist schools in delivering~~
5 ~~quality arts education to our public schools.~~

6 ~~(g) The Legislature recognizes that arts education should be the~~
7 ~~responsibility of local school districts and county offices of~~
8 ~~education through their use of Proposition 98 funding, and it is the~~
9 ~~intent of the Legislature that the programs contained in this act are~~
10 ~~ancillary to local programs that are funded and designed by local~~
11 ~~schools.~~

12 ~~SEC. 2. Chapter 5 (commencing with Section 8810) of Part~~
13 ~~6 of the Education Code is repealed.~~

14 ~~SEC. 3.—~~

15 *SECTION 1. Section 8820 of the Education Code is amended*
16 *and renumbered to read:*

17 ~~8820.~~

18 8819.5. This chapter shall remain in effect only until January
19 1, 2008, and, as of that date is repealed, unless a later enacted
20 statute, which is enacted before January 1, 2008, deletes or extends
21 that date.

22 *SEC. 2. Chapter 5.1 (commencing with Section 8820) is*
23 *added to Part 6 of the Education Code, to read:*

24
25 CHAPTER 5.1. ARTS WORK VISUAL AND PERFORMING ARTS
26 EDUCATION PROGRAM
27

28 8820. (a) There is hereby established the Arts Work Visual
29 and Performing Arts Education Program, to be administered by
30 the State Department of Education, for the purposes of awarding
31 grants to local educational agencies to develop their capacity to
32 implement high-quality instructional programs that are based on
33 the state adopted visual and performing arts content standards for
34 pupils in kindergarten and grades 1 to 12, inclusive. A grant
35 recipient shall use funds awarded pursuant to this chapter to
36 establish a standards based visual and performing arts program and
37 is encouraged to secure funds for continuing the program.

38 (b) School districts and county offices of education in
39 collaboration with one or more school districts are eligible to
40 participate in the program.

1 8825. An eligible applicant may submit a project proposal
2 that addresses one or more of the following areas:

3 (a) Arts education programs that are aligned to the state
4 adopted visual and performing arts content standards and
5 framework.

6 (b) Pupil assessment in the arts.

7 (c) Participation in local and state networks to create
8 comprehensive standards based arts education programs.

9 (d) Expanding the capacity to assist pupils in achieving the
10 state adopted visual and performing arts content standards.

11 (e) Developing an online *statewide* digital visual and
12 performing arts resource center.

13 (f) Expanding arts education programs developed through
14 participation in the Local Arts Education Partnership Program as
15 set forth in Article 2 (commencing with Section 8757.10) of
16 Chapter 9 of Division 1 of Title 2 of the Government Code.

17 8830. The Superintendent of Public Instruction shall select a
18 panel of experts that shall, ~~based on the following criteria~~, evaluate
19 the project proposals and select grant ~~recipients~~; *recipients*.
20 *Evaluation of proposals and selection of grant recipients shall be*
21 *based on the following criteria:*

22 (a) The arts education policy adopted by the applicant.

23 (b) An assessment by the applicant of its existing arts education
24 program. The assessment shall consider the degree to which the
25 program implements the state adopted visual and performing arts
26 content standards and framework and shall use any other criteria
27 developed by the State Department of Education.

28 (c) The commitment and ability of the applicant to implement
29 a comprehensive, sequential arts education program.

30 (d) The degree to which the proposed program is based on the
31 state adopted visual and performing arts content standards.

32 (e) The commitment of participating schools, including, but
33 not limited to, the use of professional staff development.

34 (f) The extent to which program outcomes and activities are
35 aligned with the assessment of the current program and stated
36 needs.

37 (g) Evidence that the arts instructional program occurs
38 primarily during the regular schoolday.

1 (h) The inclusion of pupil assessment and program evaluation
2 components that are clearly linked to the project goals and
3 objectives.

4 (i) The description of plans to obtain future funding and
5 support to continue, sustain, and expand the work begun under the
6 project.

7 ~~SEC. 4.—An article heading is added, immediately preceding~~
8 ~~Section 8750, to Chapter 9 (commencing with Section 8750) of~~
9 ~~Division 1 of Title 2 of the Government Code, to read:~~

10
11 ~~Article 1.—Arts Council~~
12

13 ~~SEC. 5.—Article 2 (commencing with Section 8757.10) is~~
14 ~~added to Chapter 9 of Division 1 of Title 2 of the Government~~
15 ~~Code, to read:~~

16
17 ~~Article 2.—Arts Education~~
18

19 ~~8757.10.—The Legislature finds and declares all of the~~
20 ~~following:~~

21 ~~(a) There is a need to include the arts in the school curriculum~~
22 ~~as a means of improving the quality of education offered in~~
23 ~~California's public schools and reinforcing basic skills,~~
24 ~~knowledge, and understanding.~~

25 ~~(b) The use of community arts resources, including~~
26 ~~professional artists, is one of several means of expanding teacher~~
27 ~~skills and knowledge in the uses of art, and contributes to the~~
28 ~~development of a comprehensive curriculum.~~

29 ~~(c) The Exemplary Arts Education Program, as previously~~
30 ~~operated pursuant to Chapter 1258 of the Statutes of 1980, was a~~
31 ~~proven means of strengthening instruction in arts education in the~~
32 ~~public schools, and should, therefore, be replicated in other school~~
33 ~~districts and counties of the state.~~

34 ~~(d) The objective of the Local Arts Education Partnership~~
35 ~~Program is to develop a locally based approach to the~~
36 ~~improvement of arts education by using existing community arts~~
37 ~~resources in a planned and coordinated way to strengthen basic arts~~
38 ~~skills and knowledge in the public schools.~~

39 ~~(e) The “Local Arts Education Partnership Program” is a~~
40 ~~collaboration among arts educators, parents, artists, and arts~~

1 organizations based on a unifying set of concepts and principles
2 contained in the California Compact for Arts Education.

3 8757.15.— As used in this article, the following terms have the
4 following meanings:

5 (a) “Arts” includes the four disciplines of dance, drama and
6 theatre, music, and visual arts as set forth in the state’s adopted
7 curriculum framework for visual and performing arts as published
8 by the State Department of Education in the Visual and Performing
9 Arts Framework for California Public Schools: Kindergarten
10 through Grade Twelve, and may also include community support
11 for the various other art forms, including folk art, film, video, the
12 writing of plays, poetry, and scripts.

13 (b) “Arts specialist” means a trained and certificated teacher
14 retained by a school district to administer, coordinate, or deliver
15 arts instruction, develop curriculum, or assist in staff development
16 of other teachers at the primary and secondary levels.

17 (c) “Local arts agency” means any of the following:

18 (1) Any agency that is a participant in the state-local
19 partnership program operated by the Arts Council.

20 (2) Any organization that is based in this state, is defined by the
21 National Association of Local Arts Agencies as a local arts agency,
22 and meets both of the following criteria:

23 (A) Is a nonprofit community organization or an agency of city
24 or county government.

25 (B) Has, as its primary function, the provision of financial
26 support, services, or other programs for arts organizations or
27 individual artists, and for the community as a whole.

28 (d) “Local educational agency” means any school district or
29 county office of education that elects to participate in the Local
30 Arts Education Partnership Program on an individual basis or in
31 consortia.

32 8757.20.— Any local arts agency is eligible to participate in the
33 Local Arts Education Partnership Program if the agency agrees to
34 provide local matching funds for the proposed arts education
35 program as specified in Section 8757.25. In addition, while the
36 agency may apply for funding for the proposed arts education
37 program for any fiscal year for which state funding is available for
38 the program, the agency agrees, as a condition to receiving any
39 state funds for the program for the 1994-95 fiscal year, to
40 additionally provide local funding for the program in the 1995-96

1 ~~fiscal year, or the 1996-97 fiscal year, or both, at the levels of~~
2 ~~funding specified in Section 8757.35.~~

3 ~~8757.25. (a) Each eligible local arts agency may apply for a~~
4 ~~grant of up to one hundred thousand dollars (\$100,000) per year~~
5 ~~for the development, implementation, and review of an arts~~
6 ~~education program. Each grant application shall be preceded by a~~
7 ~~letter of intent to file that application submitted by the local arts~~
8 ~~agency on or before the January 1 immediately preceding the fiscal~~
9 ~~year for which grant funding is requested. Each eligible local arts~~
10 ~~agency shall include in its letter of intent an authorization to make~~
11 ~~application to this program from the county board of supervisors~~
12 ~~if the agency is a county agency or designated by the county board~~
13 ~~of supervisors, or from the city council if the agency is an agency~~
14 ~~of the city or is designated by the city. If the local arts agency is~~
15 ~~neither designated by, nor a department of, either city or county~~
16 ~~government, then it shall include authorization by its board of~~
17 ~~trustees authorizing the agency to make application under this~~
18 ~~program.~~

19 ~~(b) Each grant application shall include, but not be limited to,~~
20 ~~all of the following:~~

21 ~~(1) A plan for the proposed arts education program that meets~~
22 ~~all of the following criteria:~~

23 ~~(A) The plan has been approved by resolution of the governing~~
24 ~~board of each participating school district or by the county board~~
25 ~~of education.~~

26 ~~(B) The plan includes an assessment of the needs of public~~
27 ~~schools included in the partnership located within the jurisdiction~~
28 ~~of the local arts agency that is consistent with the guidelines for~~
29 ~~those assessments developed by the State Department of~~
30 ~~Education in consultation with the Arts Council. The plan shall~~
31 ~~evidence appropriate participation by local citizens that are~~
32 ~~representative of the ethnic and cultural composition of the county.~~

33 ~~(C) The plan shall describe a comprehensive arts education~~
34 ~~program that conforms to the tenets of the state's adopted~~
35 ~~curriculum framework for visual and performing arts as published~~
36 ~~by the State Department of Education in the Visual and Performing~~
37 ~~Arts Framework for California Public Schools: Kindergarten~~
38 ~~through Grade Twelve, and shall include instruction in the four~~
39 ~~disciplines of dance, drama and theatre, music, and the visual arts~~
40 ~~for all pupils. The plan may also include other arts disciplines,~~

1 including folk arts, film, video, and the writing of plays, scripts,
2 and poetry.

3 (D) The plan proposes the use of community arts resources,
4 including, but not limited to, professional artists, arts specialists,
5 performing artists and companies, museums, nonprofit art
6 galleries, institutions of higher education, resident artists
7 organizations, and any program of the local arts agency or general
8 community resources that provide arts education services,
9 instruction, workshops, performances, or demonstrations.

10 (E) The plan provides for a local steering committee comprised
11 of not less than 10, nor more than 13, members selected from
12 professional artists, arts educators, administrators, teachers, arts
13 organizations, school board members, and other citizens, to
14 include the following members reflecting a balance between the
15 education and the arts communities:

16 (i) One representative of the local arts agency.

17 (ii) Two professional artists.

18 (iii) One representative of a local educational agency.

19 (iv) Two teachers, including one from the local educational
20 agency.

21 (v) Two arts specialists.

22 (vi) One community representative at large.

23 (vii) One representative of an institution of higher education,
24 who shall be either a faculty member in the visual and performing
25 arts or arts education or have had prior experience in these two
26 areas.

27 (F) The plan describes school needs, program goals, and a
28 process for screening community arts resources. The fiscal
29 procedures and pay rates shall be in accordance with standards
30 established by the Arts Council. Any of the community arts
31 resources described in subparagraph (D) shall be eligible for a
32 program grant if it demonstrates high quality arts performance,
33 production, or instruction.

34 (G) The plan shall include an appropriate orientation for artists
35 and teachers in participating schools.

36 (H) The plan shall include a staff development program which
37 accounts for at least 10 percent of the overall budget for the plan,
38 but not more than 20 percent of the overall budget for all public
39 school teachers participating in the California Arts Project, as
40 established pursuant to Chapter 5 (commencing with Section

1 99200) of Part 65 of the Education Code. For the purposes of this
2 paragraph, a teacher is participating in the program if he or she
3 instructs a class that will have more than 10 hours of direct contact
4 with a community arts representative.

5 (I) ~~The plan shall include a description of how funding for the~~
6 ~~staff development programs described in subparagraph (H) shall~~
7 ~~be used in providing services to teachers. The local educational~~
8 ~~agency shall use the services of the California Arts Project~~
9 ~~established pursuant to Chapter 5 (commencing with Section~~
10 ~~99200) of Part 65 of the Education Code and shall consult with at~~
11 ~~least one of the following entities in developing the staff~~
12 ~~development plans: a county office of education, an arts agency,~~
13 ~~an arts provider, a professional arts association, or an institution of~~
14 ~~higher education.~~

15 (J) ~~The plan shall also assess the arts education of homeless~~
16 ~~children, children with special needs, children at risk, school~~
17 ~~dropouts, and the children of migrant workers who may not be~~
18 ~~attending class regularly. It is the intent of the Legislature that~~
19 ~~special supplementary funds, not to exceed 10 percent of the total~~
20 ~~state dollars, shall be appropriated for this purpose. Arts education~~
21 ~~delivered pursuant to this paragraph shall be exempt from the~~
22 ~~matching requirements described in Section 8757.35.~~

23 (2) ~~A proposed budget for expenditure of the grant, which shall~~
24 ~~be submitted on a form developed by the Arts Council for that~~
25 ~~purpose.~~

26 (3) ~~A section demonstrating how the proposal furthers the~~
27 ~~implementation of the model curriculum standards set forth in~~
28 ~~Section 51226 of the Education Code, the Visual and Performing~~
29 ~~Arts Framework for California Public Schools: Kindergarten~~
30 ~~through Grade Twelve published by the State Department of~~
31 ~~Education, or the implementation or operation of specialized~~
32 ~~secondary programs pursuant to Chapter 6 (commencing with~~
33 ~~Section 58800) of Part 31 of the Education Code.~~

34 (4) ~~A section designating the source of all local matching~~
35 ~~funds, as described in Section 8757.35.~~

36 8757.30. ~~If no local arts agency within the jurisdiction of a~~
37 ~~local educational agency submits, on or before the January 1~~
38 ~~immediately preceding the fiscal year for which grant funding is~~
39 ~~requested, a letter of intent to file an application for grant funding,~~
40 ~~an application for grant funding for that fiscal year may be filed~~

~~1 instead by that local educational agency in conjunction either with
2 a nonprofit arts organization having a history of delivering arts
3 services to the local educational agency, including, for example,
4 the Music Center of Los Angeles County/education division, the
5 Performing Tree of Los Angeles, the Getty Center for Education
6 in the Arts, or LEAP of San Francisco, the San Diego Institute for
7 Arts Education, or with any campus of the California State
8 University or the University of California. Any local educational
9 agency filing a grant application pursuant to this section shall be
10 required to comply with any applicable provision of this article
11 governing grant applications.~~

~~12 8757.35. (a) Local matching funds are funds provided to
13 match grant moneys received pursuant to this chapter on a
14 one-to-one dollar basis for the 1994-95 fiscal year, a three-to-two
15 dollar basis in the 1995-96 fiscal year, and a two-to-one dollar
16 basis in the 1996-97 fiscal year and in any subsequent year of the
17 program, from any of the following sources:~~

~~18 (1) Any funds under the control of the local arts agency,
19 regardless of the source.~~

~~20 (2) Any funds under the budgetary authority of the local
21 educational agency, regardless of the source. Up to 25 percent of
22 these local educational agency funds may be in the form of in-kind
23 goods and services.~~

~~24 (3) Any money donated to the local arts agency for program
25 purposes by any foundation, corporation, business, individual, or
26 nonprofit group.~~

~~27 (b) No more than 50 percent of local matching funds may be
28 received, as a total, from paragraphs (1) and (3) of subdivision (a)
29 for the 1994-95 fiscal year, no more than 33 percent for the
30 1995-96 fiscal year, and no more than 25 percent for the 1996-97
31 fiscal year and for any subsequent year of the program.~~

~~32 8757.40. The State Department of Education shall do all of
33 the following:~~

~~34 (a) Develop plan guidelines in consultation with the Arts
35 Council.~~

~~36 (b) Utilize not more than 7 percent of total program funds for
37 the administrative costs of implementing this article.~~

~~38 (c) Send one copy of plan guidelines and necessary application
39 forms, including the budget form developed pursuant to
40 subdivision (b) of Section 8757.25 to each school district and~~

1 ~~county office of education, together with a list of appropriate local~~
2 ~~arts agencies.~~

3 ~~(d) Contract with local educational agencies to implement~~
4 ~~programs pursuant to this article.~~

5 ~~8757.45. The Arts Council shall do all of the following:~~

6 ~~(a) Develop and distribute the necessary application forms to~~
7 ~~each local arts agency. The distribution shall include, but not be~~
8 ~~limited to, the budget form developed pursuant to paragraph (2) of~~
9 ~~subdivision (b) of Section 8757.25, and at least two copies of the~~
10 ~~plan guidelines to each local arts agency. One copy shall be~~
11 ~~addressed to the local arts agency, and one copy shall be addressed~~
12 ~~to the chief executive officer of the county board of supervisors or~~
13 ~~city council, as appropriate.~~

14 ~~(b) Receive and disburse funds pursuant to this article.~~

15 ~~(c) Provide information or assistance to any local arts agency~~
16 ~~as necessary to implement the purposes of this article.~~

17 ~~(d) Establish a peer review panel, in consultation with the State~~
18 ~~Department of Education, to review and rank plans submitted~~
19 ~~under Section 8757.25, from most deserving to least deserving.~~
20 ~~Plans of equal merit shall be ranked according to criteria~~
21 ~~established by the Arts Council to ensure an appropriate balance~~
22 ~~of urban and rural representation. The peer review panel shall be~~
23 ~~representative of professional artists, arts organizations, arts~~
24 ~~educators, teachers, school administrators, and school board~~
25 ~~members, and shall include the following members:~~

26 ~~(1) One representative of the Arts Council.~~

27 ~~(2) One representative of the State Department of Education.~~

28 ~~(3) One representative of a local arts agency.~~

29 ~~(4) One representative from an institution of higher education.~~

30 ~~(e) Utilize not more than 7 percent of the total program funds~~
31 ~~for administrative costs of implementing this article.~~

32 ~~8757.50. The Arts Council and the State Department of~~
33 ~~Education shall enter into an interagency agreement to administer~~
34 ~~this program, which shall implement the duties outlined in~~
35 ~~Sections 8757.40 and 8757.45 and which shall include criteria for~~
36 ~~the plan guidelines developed pursuant to subdivision (a) of~~
37 ~~Section 8757.40, to include, but not be limited to, the following~~
38 ~~items:~~

~~(a) The quality of the arts program proposed in the plan, including the quality and excellence of the artists and community arts resources.~~

~~(b) The experience of the teachers selected to participate in the program, including their arts background and familiarity with arts curriculum and successful implementation of the arts curriculum.~~

~~(c) The maximum use of the staff development resources of both the California Arts Project and the community resources described in the plan. If the California Arts Project cannot provide any resources to participating districts or schools pursuant to subparagraph (I) of paragraph (1) of subdivision (b) of Section 8757.25, no plan shall be penalized for failing to include the Arts Project in their staff development plan.~~

~~(d) The degree of sponsor support for schools or local arts agencies in meeting the required match in either cash or in-kind contributions.~~

~~(e) The degree to which the plan involves members of the cultural and ethnic composition of participating school populations.~~

~~(f) The degree to which existing site or district personnel are utilized in this program, including arts specialists.~~

~~(g) The degree to which the plan addresses how the program can be assessed pursuant to Article 1 (commencing with Section 60600) of Chapter 5 of Part 33 of the Education Code.~~

~~8757.55.—The local educational agency shall do all of the following:~~

~~(a) Provide for the scheduling of the arts education program in the schools, primarily during the regular schoolday.~~

~~(b) Provide necessary facilities and materials.~~

~~(c) Designate an appropriate person to serve as art project coordinator.~~

~~(d) Provide one day of orientation and a minimum of two hours per month of in-service training for each participating teacher.~~

~~(e) Provide the local matching funds as required in Section 8757.35.~~

~~(f) Agree not to supplant existing personnel employed by the local educational agency, and provide that no grant funds received shall be used to pay salaries of personnel or other costs of arts education programs being provided by the district or county office at the time of the receipt of the grant funds or to otherwise supplant~~

1 ~~federal, state, or local funds being expended on arts education~~
2 ~~programs by the district or county office.~~

3 ~~(g) Provide assistance in any orientation of artists prior to their~~
4 ~~assignment to classrooms, as may be deemed appropriate by the~~
5 ~~project coordinator and the local arts agency.~~

6 ~~(h) Contract with local arts agencies to implement programs~~
7 ~~pursuant to this article.~~

8 ~~8757.60.— It is the intent of the Legislature that this article and~~
9 ~~the Local Arts Education Partnership Program not be financed~~
10 ~~through an appropriation from the General Fund. This article shall~~
11 ~~be funded with funds made available under Article 8.4~~
12 ~~(commencing with Section 5060) of Chapter 1 of Division 3 of the~~
13 ~~Vehicle Code, as added by Assembly Bill 3632 of the 1991–92~~
14 ~~Regular Session, in an amount proposed annually by the Arts~~
15 ~~Council for inclusion in the State Budget Act. That appropriation~~
16 ~~of funds shall be made in the first fiscal year that three hundred~~
17 ~~thousand dollars (\$300,000) accrues to the Graphic Design~~
18 ~~License Plate Account of the General Fund established pursuant~~
19 ~~to that article.~~

20 ~~8757.65.— This article shall remain in effect only until January~~
21 ~~1, 2008, and, as of that date is repealed, unless a later enacted~~
22 ~~statute, which is enacted before January 1, 2008, deletes or extends~~
23 ~~that date.~~

24 ~~SEC. 6.— Article 3 (commencing with Section 8758.10) is~~
25 ~~added to Chapter 9 of Division 1 of Title 2 of the Government~~
26 ~~Code, to read:~~

27
28 ~~Article 3.— Demonstration Sites Program~~
29

30 ~~8758.10.— There is hereby established in the Arts Council the~~
31 ~~Demonstration Sites Program to be administered by the Arts~~
32 ~~Council for the purposes of developing standards-based arts~~
33 ~~education programs that improve pupil performance, the~~
34 ~~classroom environment, and the ability of teachers to teach arts.~~

35 ~~SEC. 7.— Article 4 (commencing with Section 8758.50) is~~
36 ~~added to Chapter 9 of Division 1 of Title 2 of the Government~~
37 ~~Code, to read:~~
38

1 Article 4. ~~Exemplary Arts Education Program~~

2
3 8758.50. ~~There is hereby established in the Arts Council the~~
4 ~~Exemplary Arts Education Program to be administered by the Arts~~
5 ~~Council for the purpose of developing the capacity of arts~~
6 ~~organizations and artists with high quality arts education~~
7 ~~programs. Participants shall demonstrate a high quality,~~
8 ~~comprehensive, sustained, and replicable service to the schools~~
9 ~~based on the value of the program to the school, community or arts~~
10 ~~organization. Projects shall be selected for the program based on~~
11 ~~the following criteria:~~

- 12 ~~(a) Ability to implement a quality arts education program.~~
13 ~~(b) The degree to which the program is standards based.~~
14 ~~(c) The quality of the school staff, including teachers, district~~
15 ~~administrators, and site administrators.~~
16 ~~(d) An arts education policy adopted by the local educational~~
17 ~~agency.~~
18 ~~(e) Capacity to deliver a high quality program.~~
19 ~~(f) Yearly evidence that the program has added public value to~~
20 ~~a school and local community using criteria established by the Arts~~
21 ~~Council and the Arts Marketing Institute, a project of the Arts~~
22 ~~Council.~~
23 ~~(g) The quality of parent outreach and participation.~~
24 ~~(h) The quality of a visibility plan.~~
25 ~~(i) Whether matching funds are provided by the school being~~
26 ~~served or through any available district or county education funds~~
27 ~~or any other funding source deemed appropriate by the Arts~~
28 ~~Council on a one-to-one dollar basis.~~
29 ~~(j) Whether the program is primarily implemented during~~
30 ~~regular school hours.~~

31 8758.55. ~~The Arts Council may utilize any appropriate~~
32 ~~funding source available to them, including, but not limited to,~~
33 ~~general fund appropriations, federal funds, arts specialty license~~
34 ~~plate funds, private donations by corporations or foundations or~~
35 ~~any other funds made available to the Arts Council that they deem~~
36 ~~appropriate.~~

37 8758.60. ~~(a) The Arts Council, in consultation with the State~~
38 ~~Department of Education, shall establish guidelines for grant~~
39 ~~distribution.~~

1 ~~(b) Grants awarded pursuant to this article shall be approved in~~
2 ~~open public meetings of the Arts Council. The contracts shall be~~
3 ~~exempt from Department of General Services review if the grant~~
4 ~~is for less than fifty thousand dollars (\$50,000) annually and is~~
5 ~~funded through the process established in this article.~~

6 ~~8758.65.— On or before January 1 of each year, the Arts Council~~
7 ~~shall submit a report to the Assembly Committee on Arts,~~
8 ~~Entertainment, Sports, Tourism, and Internet Media that provides~~
9 ~~data on the scope and impact of the Exemplary Arts Education~~
10 ~~Program.~~

11 ~~SEC. 8. Article 5 (commencing with Section 8758.70) is~~
12 ~~added to Chapter 9 of Division 1 of Title 2 of the Government~~
13 ~~Code, to read:~~

14
15 ~~Article 5.— Arts Partnership in Education Program~~

16
17 ~~8758.70.— (a) There is hereby established in the Arts Council~~
18 ~~the Arts Partnership in Education Program to be administered by~~
19 ~~the Arts Council for the purpose of encouraging local businesses~~
20 ~~and corporations, and other noneducation local agencies,~~
21 ~~including, but not limited to, youth at risk, crime prevention, or~~
22 ~~criminal diversion programs to contribute to the development of~~
23 ~~a quality arts education program centered at a schoolsite. The Arts~~
24 ~~Partnership in Education Program shall consist of the following~~
25 ~~membership:~~

26 ~~(1) An arts education organization or visual, performing or~~
27 ~~media arts nonprofit corporation with a track record of delivering~~
28 ~~a high quality arts education program.~~

29 ~~(2) A community partner. The partner may be a business, a~~
30 ~~foundation, including, but not limited to, a school foundation, a~~
31 ~~corporation, or other public agency that is locally based and is able~~
32 ~~to partner with a public school in California. Preference shall be~~
33 ~~given to applications with partners in the architecture, high~~
34 ~~technology, cultural tourism, or entertainment industries.~~

35 ~~(3) A schoolsite that is committed to the devotion of consistent~~
36 ~~instructional time in the arts to provide linkages to learning in the~~
37 ~~visual, performing, and media arts and other content areas utilizing~~
38 ~~the arts as a pedagogic tool based upon state standards in each~~
39 ~~curriculum area.~~

~~(b) The Arts Council shall determine the scope of the program based upon the availability of funds in the annual Budget Act.~~

~~8758.75. The projects funded pursuant to this article shall include an effective visibility plan and require a three year commitment of one-to-one matching funds by the school and an equal commitment of funds from the community.~~

~~8758.90. The Arts Council shall seek statewide partnerships with industries, including, but not limited to, high technology or entertainment industries to support a pool of private funds the schools could apply for to fund the arts education program.~~

~~8758.95. Grants awarded pursuant to this article shall be approved in open public meetings of the Arts Council. The grants shall be exempt from Department of General Services review if the grant is for less than one hundred thousand dollars (\$100,000) annually and is funded through the process established in this article.~~

~~8758.97. The Assembly Committee on Arts, Entertainment, Sports, Tourism, and Internet Media may require periodic reports from the Arts Council at its discretion.~~